

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

THEODORE THOMAS §
VS. § CIVIL ACTION NO. 9:14cv59
ATTICUS SHELTON, ET AL. §

**ORDER ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Theodore Thomas, proceeding *pro se*, filed the above-styled civil rights action. The court previously referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, for consideration pursuant to 28 U.S.C. § 636 and applicable orders of this court.

The defendants have filed a motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(5). The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending the motion be granted.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record and pleadings. No objections were filed.

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ADOPTED**. The motion to dismiss is **GRANTED**. A final judgment shall be entered dismissing this lawsuit without prejudice.

SIGNED this 3rd day of March, 2016.



MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE